

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re Bayou Hedge Fund Litigation	:	06 MDL 1755 (CM) (MDF)
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This Document Relates To:	:	<b><u>ANSWER</u></b>
Broad-Bussel Family Limited Partnership, et al.	:	
v.	:	06 Civ. 3026 (CM) (MDF)
Bayou Group, LLC, et al.,	:	
-----X	:	<b>Electronically Filed</b>

Defendant James G. Marquez (“Marquez”), by his attorneys Day, Berry & Howard LLP, in answer to plaintiffs’ Amended Class Action Complaint (the “Amended Complaint”), states as follows:

1. Marquez does not contest that the Court has jurisdiction over the subject matter of the action.

2. Marquez denies the allegations that the action is properly maintainable as a class action with respect to claims against Marquez including that plaintiffs are adequate class representatives.

3. With respect to those paragraphs that specifically allege conduct by Marquez, Marquez responds as follows: The subject matter of the Amended Complaint, including Marquez’s participation in the alleged conduct, is the subject of an investigation by the United States Attorney’s Office for the Southern District of New York. Marquez has been informed through oral communications between his counsel and the United States Attorney’s Office that he is a target of that investigation. Upon advice of counsel, Marquez exercises his rights under

the Fifth Amendment of the United States Constitution, and respectfully declines to answer the allegations. Marquez reserves the right to amend this Answer.

4. With respect to conduct alleged in the Amended Complaint by Samuel Israel III (“Israel”) and Daniel E. Marino (“Marino”), upon advice of counsel, Marquez exercises his rights under the Fifth Amendment of the United States Constitution, and respectfully declines to answer the allegations. Marquez reserves the right to amend this Answer.

5. With respect to conduct alleged in the Amended Complaint by persons other than Marquez, Israel and/or Marino, including conduct of the plaintiffs, Marquez lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore leaves plaintiffs to their proof.

6. Marquez denies that any conduct of Marquez was a proximate cause of any loss to the plaintiffs.

DATED: June 12, 2006  
Stamford, Connecticut

DAY BERRY & HOWARD LLP

By: /s/ Thomas D. Goldberg  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 12, 2006, a copy of the accompanying Answer was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Doreen Klein  
Doreen Klein (DK 4982)